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Materials for a Course on Rights

Fall 2003

Hamish Stewart

These materials were prepared solely for the use of student in the Faculty of Law,
University of Toronto

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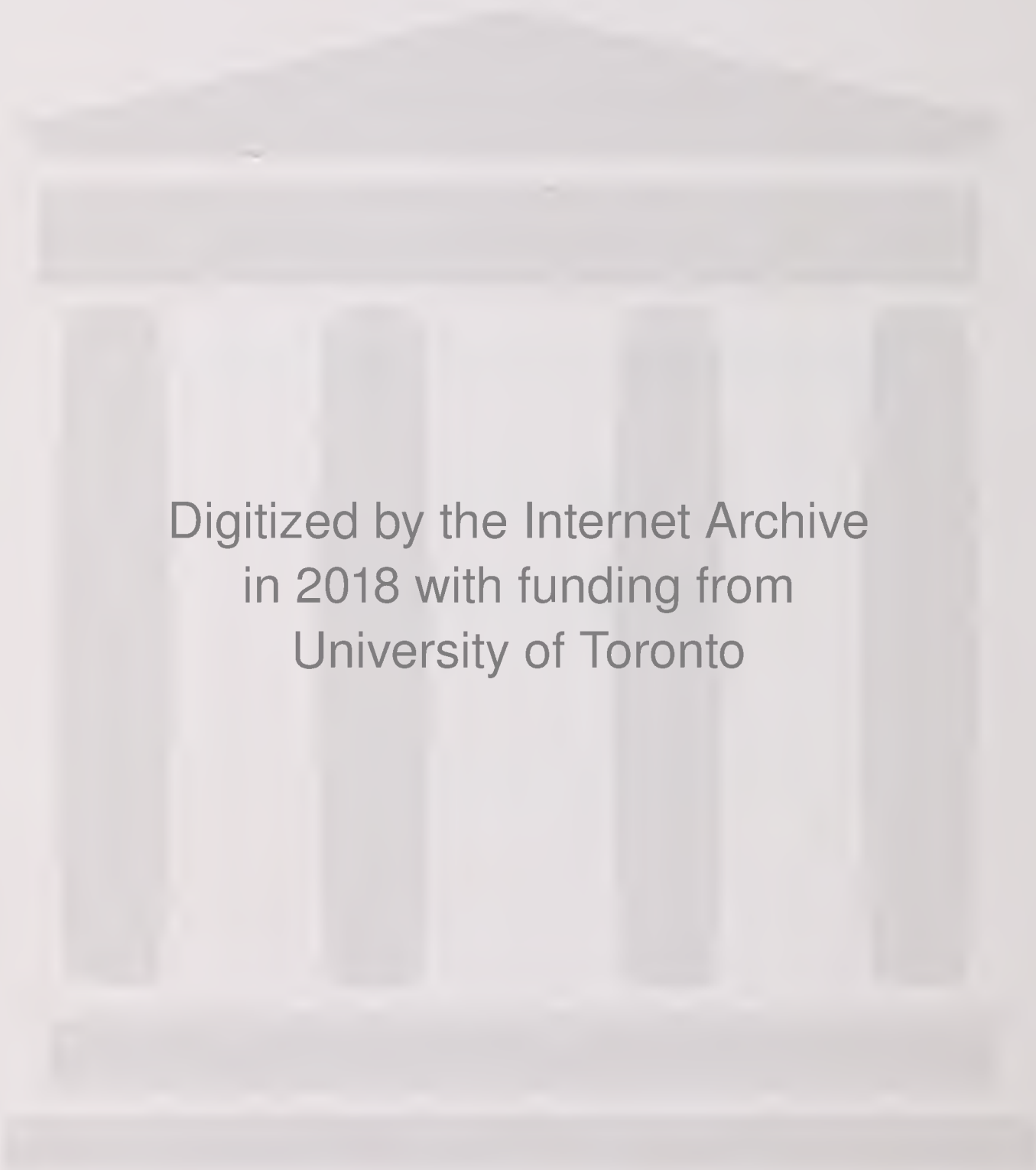
FACULTY OF LAW
UNIVERSITY OF TORONTO

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Syllabus and Table of Contents

September 3

No readings.

September 10: Introduction

Wesley Hohfeld, excerpt from *Fundamental Legal Conceptions* 1

F.M. Kamm, excerpt from "Rights" 17

September 17: Dworkin

Ronald Dworkin, excerpts from *Taking Rights Seriously*..... 47

September 24: Raz

Joseph Raz, "Professor Dworkin's Theory of Rights" 83

Joseph Raz, "The Nature of Rights" 92

October 1: Locke

John Locke, excerpts from *Second Treatise*..... 107

October 8, 15, 22: Kant

Immanuel Kant, *The Metaphysics of Morals*, Mary Gregor, ed. & trans. (Cambridge: Cambridge University Press, 1996)

Oct. 8: pp. 9-48

Oct. 15: pp. 49-74

Oct. 22: pp. 84-113

October 29: Rights in Tort Law

Steven Shavell, excerpts from *Economic Analysis of Accident Law* 131

Arthur Ripstein, "Philosophy of Tort Law" 148

November 5: Reading Week

No class.

November 12: The Right to Freedom of Religion

John Locke, "A Letter Concerning Toleration" 180

British Columbia College of Teachers v. Trinity Western University 204

November 19: Rights and Morals

John Stuart Mill, excerpt from "On Liberty"	234
Patrick Devlin, excerpts from <i>The Enforcement of Morals</i>	241
H.L.A. Hart, excerpts from <i>Law, Liberty, and Morality</i>	258
Ronald Dworkin, "Liberty and Moralism"	282
<i>R. v. Malmo-Levine</i>	290

November 26: The Right to Freedom of Expression

Ronald Dworkin, "Why Must Speech Be Free?"	324
<i>R. v. Butler</i>	334
Brenda Cossman, "Feminist Fashion or Morality in Drag?"	360
David Dyzenhaus, "Pornography and Public Reason"	383

December 3: TBA